



Dear Prospective Bidder:

Gershman, Brickner & Bratton, Inc., (GBB) in its capacity as Receiver (hereinafter known as Receiver) for the Guam Solid Waste Authority (GSWA) is pleased to offer by Sealed Bid Sale, certain heavy equipment that is in excess of its needs for the operation of GSWA. The Following is a brief description of the items to be sold by sealed bid:

Item 1. CATERPILLAR 963C Track Loader with Waste Handling Arrangement

Model Year: 2003

Serial #: 2DS03060

Hours: 6,600.1

Original Purchase Price: \$236,380

Date of Original Purchase: 6/9/2003

Use: Grading elevations and pushing waste items at the Ordot Dump

Regular Maintenance: Quarterly

Maintenance records available upon request

Successful bidder responsible for removal and delivery of item to bidder's location.

Item 2. CATERPILLAR D8RII Track Type Tractor (Dozer) with Waste Handling Arrangement

Model Year: 2003

Serial #: 6Y201322

Hours: 7,005

Original Purchase Price: \$469,240

Date of Original Purchase: 5/29/2003

Use: Pushing waste items and cover material at the Ordot Dump

Regular Maintenance: Quarterly

Maintenance records available upon request

Successful bidder responsible for removal and delivery of item to bidder's location.

Item 3. **2003 CATERPILLAR DR9 DS Dozer with Ripper**

Model Year: 2003

Serial #: ABK00806

Hours: 4,037

Original Purchase Price: \$628,047

Date of Original Purchase: 5/29/2003

Use: Pushing waste items and cover material at the Ordot Dump

Regular Maintenance: Quarterly

Maintenance records available upon request

Successful bidder responsible for removal and delivery of item to bidder's location.

Item 4. **Hyundai R360LC 330 BL Hydraulic Excavator with Bucket (225 HP)**

Model Year: 2004

Serial #: 0028GD053

Hours: 5,215.4

Original Purchase Price: \$169,785

Date of Original Purchase: 8/29/2003

Use: Spreading and compacting daily cover at the Ordot Dump

Regular Maintenance: Quarterly

Maintenance records available upon request

Successful bidder responsible for removal and delivery of item to bidder's location.

Item 5. Freightliner CL 120 Dump Body

Model Year: 2003

Original Purchase Price: Not Available (originally purchased with truck) Date of Original Purchase: 7/30/2003

Use: Hauling coral to the Ordot Dump for use as daily cover

Successful bidder responsible for removal and delivery of item to bidder's location.

Item 6. Freightliner CL 120 Dump Body

Model Year: 2003

Original Purchase Price: Not Available (originally purchased with truck)

Date of Original Purchase: 7/30/2003

Use: Hauling coral to the Ordot Dump for use as daily cover

Successful bidder responsible for removal and delivery of item to bidder's location.

Item 7. Freightliner CL 120 Dump Body

Model Year: 2003

Original Purchase Price: Not Available (originally purchased with truck)

Date of Original Purchase: 7/30/2003

Use: Hauling coral to the Ordot Dump for use as daily cover

Successful bidder responsible for removal and delivery of item to bidder's location.

Item 8. Freightliner CL 120 Dump Body

Model Year: 2003

Original Purchase Price: Not Available (originally purchased with truck)

Date of Original Purchase: 7/30/2003

Use: Hauling coral to the Ordot Dump for use as daily cover

Successful bidder responsible for removal and delivery of item to bidder's location.

**If you would like to submit a sealed bid for any or all of the items, the following procedures will apply:**

Please complete the enclosed sealed bid form, which must be sealed in an envelope and labeled as follows:

**Sealed Bid - (your name)**

A deposit of 10% (ten percent) of your bid amount, Non-refundable as to the winning bidder, in **CERTIFIED U.S. FUNDS** made payable to the Guam Solid Waste Authority, must accompany your sealed bid. Place the deposit in a separate envelope labeled as follows:

**Sealed Bid Deposit - (your name)**

Bids may be mailed, delivered via U.S Mail, private delivery service (i.e. FedEx, UPS, DHL, etc) or hand delivered. All bid packages must be clearly marked on the exterior of the package "**GSWA EXCESS EQUIPMENT BID**". It is the bidder's responsibility to assure delivery to the Guam Solid Waste Authority, Government of Guam, 542 North Marine Corps Drive, Tamuning, Guam 96913 on or before June 1, 2012 at 2:00PM.

**TERMS:** A complete set of terms and conditions of sale is included below. All bids must be received no later than Friday, June 1, 2012 by 2:00p.m. Bid opening will be conducted in public on the same day at 3:00 p.m. at the GSWA Building at , 542 North Marine Corps Drive, Tamuning, Guam. The balance of the accepted bid will be due and payable on or before 3:00 p.m. Friday, June 8, 2012 in **CASH** (wired directly to a GSWA bank account as directed by the Receiver) or **CERTIFIED U.S. FUNDS made payable to the Guam Solid Waste Authority**. All bids may be subject to confirmation of Secured Creditor. Unaccepted bid deposits will be returned via certified U.S. Mail on or before June 29, 2012. If you should have any questions, please contact our office at (671)646-3111.

**INSPECTION OF EQUIPMENT PRIOR TO BID:** Interested parties may make an appointment to inspect the equipment and all available paperwork for each piece of equipment by contacting either Chace Anderson by email at [candersongbb@gmail.com](mailto:candersongbb@gmail.com) or Linda Ibanez by email at [lindaibanez@gmail.com](mailto:lindaibanez@gmail.com). In addition, an appointment can be scheduled by phone at 671-646-3111.

**SEALED BID FORM**

**Secured Party's Sale by Sealed Bid ~ Guam Solid Waste Authority**

Name of Bidder: \_\_\_\_\_

Firm: \_\_\_\_\_

Street Address: \_\_\_\_\_

P.O. Box #: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Business Phone: \_\_\_\_\_

CellPhone: \_\_\_\_\_

Item # 1: \_\_\_\_\_

Item # 2: \_\_\_\_\_

Item # 3: \_\_\_\_\_

Item # 4: \_\_\_\_\_

Item # 5: \_\_\_\_\_

Item # 6: \_\_\_\_\_

Item # 7: \_\_\_\_\_

Item # 8: \_\_\_\_\_

Total Amount of Bid(s): \$ \_\_\_\_\_

**Please include a deposit equal to 10% (ten percent) of your bid amount by certified check. Deposit is non –refundable if bid is accepted.**

Bidder agrees that upon submission of bid, that they have seen and agreed to the Terms and Conditions of Sale and acknowledges a receipt of copy of same.

**Signature of Bidder:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**TERMS & CONDITIONS OF SECURED PARTY'S SALE  
BY PUBLIC SEALED BID HEAVY EQUIPMENT**

**Guam Solid Waste Authority, Government of Guam, 542 North Marine Corps Drive, Tamuning, Guam  
96913**

**BID DEADLINE: Friday, June 1, 2012 at 2 PM**

**TERMS:** Prospective bidders must complete and submit prior to the bid deadline, a sealed bid form. Bids may be mailed to: Guam Solid Waste Authority, Government of Guam, 542 North Marine Corps Drive, Tamuning, Guam 96913. You may also present your sealed bid at the Bid Opening Site located at the office of the Guam Solid Waste Authority, Government of Guam, 542 North Marine Corps Drive, Tamuning, Guam 96913 on or before Friday, June 1, 2012 at 2 PM. Each bid must be accompanied with a deposit equal 10% of the bid amount (NON-REFUNDABLE AS TO THE WINNING BIDDER, and made payable to the Guam Solid Waste Authority). The balance of the accepted bid will be due and payable on or before, 3:00 p.m. Friday, June 8, 2012 in Cash (wired directly to a GSWA bank account as directed by the Receiver) or Certified US Funds, made payable to the Guam Solid Waste Authority. All bids are subject to confirmation of the secured party. Unaccepted bid deposits will be returned via certified U.S. Mail on or before Friday, June 29, 2012. If you should have any questions, please contact either Chace Anderson or Linda Ibanez at 671-646-3111.

Bidding and acknowledgment will be by sealed bid only. Please complete the required sealed bid form available from the GSWA, or by downloading from the GSWA website at <http://www.guamsolidwasteauthority.com/>. If you become a winning bidder, title passes (UCC) and you are responsible for your own merchandise. The Receiver, GSWA or the Government of Guam are not responsible for lost or stolen items.

All bidders must be 18 years of age or older. Employees and contract employees of GSWA or the Receiver or any Government of Guam employee with personal or first-hand information regarding the condition of any item or direct involvement with the disposition of GSWA excess or surplus property, or the supervisor of such an employee or a person living in either such an employee's or supervisor's household, are not eligible to bid. Personal or first-hand information includes knowledge of an item's condition beyond that acquired through the same pre-bid inspection available to all potential bidders.

GSWA reserves the right, at its absolute discretion, to reject any and/or all bids considered as not in its best interest. GSWA also reserves the right to withdraw an item at any time – including during, or after the bidding process until title is actually passed to the winning bidder.

**Guam Gross Receipts TAX:** 4% Guam Gross Receipts Tax on all items. Dealers or exempt agencies must provide us with a copy of their annual resale certificate with the clerk at time of registration. Out-of-state residents are subject to the Guam Gross Receipts tax.

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**DOCUMENT FEES:** Purchasers will be required to pay all applicable Government of Guam fees at time of settlement to process the required paperwork. Title will be provided upon receipt of payment.

**REMOVAL OF MERCHANDISE:** Items may not be removed until completion of sale and after complete payment has been made. Complete payment must be received by 3:00 p.m. Friday, June 8, 2012 in Cash (wired directly to a GSWA bank account as directed by the Receiver) or Certified US Funds, made payable to the Guam Solid Waste Authority. Please contact Chace Anderson by email at [candersongbb@gmail.com](mailto:candersongbb@gmail.com) or phone at 671-646-3111 to make arrangements for removal of items purchased. Equipment must be removed by the successful bidder within 10 working days of completion of the sale.

**WARRANTIES:** While descriptions are believed to be correct, , the Receiver, GSWA and the Government of Guam make no warranties or guarantees, expressed or implied as to the genuineness, authenticity of, or defects in any item offered for sale, and will not be held responsible for advertising discrepancies or inaccuracies. Purchaser acknowledges that purchaser has had the opportunity to inspect the items offered for sale and that everything is sold on an "AS IS", "WHERE IS" basis. No warranties are made as to the merchantability of any item or their fitness for any purpose.

Purchaser does hereby indemnify and hold harmless the Receiver, GSWA and the Government of Guam from any and all damages and claims of any type whatsoever, caused during the sale or arising out of the sale, or by the removal of the items purchased. Purchasers will be held responsible for any damage they may create to the property, other items at the sale, or parties during the removal process. GSWA and the Receiver reserves the right to reject any and all bids including any bid, which is only a fractional advance over the preceding bid. GSWA reserves the right to group one or more lots into one or more selling lots and to add to or delete from lots at GSWA's sole discretion. All bids subject to confirmation of Secured Party.

In the event the Purchaser fails to pay the whole of the purchase price within the time set forth herein, and/or fails to comply with any of the Terms and Conditions of Sale, GSWA may retain and/or recover the deposit specified as liquidated damages, and in addition thereto, the item can be resold to the next highest bidder or otherwise at public sale at GSWA's sole discretion. Buyer agrees to pay any and all charges and expenses incurred by reason of any breach of the Terms and Conditions of Sale, including without limitation reasonable attorney's fees.

**PLEASE NOTE:** You have signed a written binding contract agreeing to the Terms and Conditions of Sale, and understand that any bid you make falls under Title II, Section 2-328 of the Uniform Commercial Code, and the Statute of Frauds. If you do not agree with the Terms and Conditions of the Sale, please do not submit a Sealed Bid.

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